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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/897,217	07/14/1997	DAWSON F. DEAN	P-2057/723	4193

22801 7590 04/22/2002

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EXAMINER

BULLOCK JR, LEWIS ALEXANDER

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 04/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	08/897,217	DEAN, DAWSON F.
	Examiner Lewis A. Bullock, Jr.	Art Unit 2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 07 February 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-15 and 22-32 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-15 and 22-23 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 07 February 2002 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Drawings***

1. The corrected or substitute drawings were received on 2/7/02. These drawings are approved.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over SAVITZKY (US 6,012,083) in view of GRATE (US 5,956,483).

As to claim 1, SAVITZKY teaches a method for serving remote procedure calls from an applet (client-side code) which executes within an applet viewer (applet-aware browser), the method comprising: receiving from the applet a request for a document according to a document retrieval protocol implemented on a computer network (client sends a server a document request for a document in the form of a URL); determining that the request specifies a function (execute script) which is defined within a computer process (server program) executing independently of the applet and applet viewer and which includes one or more computer instructions (script) (server identifies the request as a request to execute a script rather than a request for a document); and executing the function to thereby cause execution of the one or more computer instructions in

response to receipt of the request (the server executes the CGI script, possibly using arguments passes as part of the URL) (col. 1, line 63 – col. 2, line 43). It would be obvious that the applet generates the request since the request for a document is generated with client-side code execution and that the script execution of generating the document is unrelated to the actual retrieval of the document. However, SAVITZKY does not teach the server as a local server wherein the system that generates the request is the system that serves it. It is well known in the art that a web server can be local to the browser.

GRATE teaches a browser which sends request (HTTP post request) to a web server (SHOPPER) that is local to the browser wherein the system that generates the request is the system that serves it (col. 10, lines 26-41). Therefore, it would be obvious to combine the teachings of SAVITZKY with the teachings of GRATE in order to facilitate local processing of request.

As to claim 2, Savitzky teaches the client sending a document request in the form of a URL where the URL refers not to a document on the server but to a program on the server (via a script). A URL is a portion of namespace in a browser for identifying resources or documents and since the URL in Savitzky is used to identify a function as well as a document, the URL is a namespace in the browser for function requests.

As to claim 3, SAVITZKY teaches returning to the applet result data produced by execution of the function (dynamic document of server side code execution) (col. 2, lines 10-14).

As to claim 4, SAVITZKY teaches the returning comprises: forming a document which includes the data; and sending the document to the applet (dynamic document of server side code execution) (col. 2, lines 10-14).

As to claim 5, SAVITZKY teaches the document retrieval protocol is HTTP (col. 1, lines 45-62).

As to claims 6-10, reference is made to a computer readable medium that corresponds to the method of claims 1-5 and is therefore met by the rejection of claims 1-5 above.

As to claims 11-15, reference is made to a system that corresponds to the method of claim 1-5 and is therefore met by the rejection of claims 1-5 above.

As to claim 22, “Official Notice” is taken in that a remote procedure call is well known in the art and would be obvious to use in order to request execution of the CGI script of the server.

As to claim 23, SAVITZKY teaches a method for serving remote procedure calls from an instruction set (client-side code) that executes within a first computer process (browser), the method comprising: receiving a request for a data file (document) according to a data file retrieval protocol (HTTP) (client sends a server a document request for a document in the form of a URL); determining that the request specifies a function (execute script) which is defined within a second computer process (server program) executing independently of the instruction set and the first computer process, the function including computer instructions (script) (server identifies the request as a request to execute a script rather than a request for a document); and executing the function to thereby cause execution of the computer instructions in response to receipt of the request (the server executes the CGI script, possibly using arguments passes as part of the URL) (col. 1, line 63 – col. 2, line 43). It would be obvious the script execution of generating the document is unrelated to the actual retrieval of the document. However, SAVITZKY does not teach the server as a local server wherein the system that generates the request is the system that serves it. It is well known in the art that a web server can be local to the browser.

GRATE teaches a browser which sends request (HTTP post request) to a web server (SHOPPER) that is local to the browser wherein the system that generates the request is the system that serves it (col. 10, lines 26-41). Therefore, it would be obvious to combine the teachings of SAVITZKY with the teachings of GRATE in order to facilitate local processing of request.

As to claim 24, SAVITZKY teaches the client sending a document request in the form of a URL where the URL refers not to a document on the server but to a program on the server (via a script). A URL is a portion of namespace in a browser for identifying resources or documents and since the URL in Savitzky is used to identify a function as well as a document, the URL is a namespace in the browser for function requests.

As to claim 25, SAVITZKY teaches returning to the result data produced by execution of the function (dynamic document of server side code execution) (col. 2, lines 10-14).

As to claim 26, SAVITZKY teaches the returning comprises: forming a document which includes the data; and sending the document to the first computer process (dynamic document of server side code execution) (col. 2, lines 10-14).

As to claim 27, SAVITZKY teaches the document retrieval protocol is HTTP (col. 1, lines 45-62).

As to claims 28-32, reference is made to a system that corresponds to the method of claims 23-27 and is therefore met by the rejection of claims 23-27 above.

***Response to Arguments***

3. Applicant's arguments filed 2/7/02 have been fully considered but they are not persuasive. Applicant argues that neither Savitzky nor Grate teach executing the function in the same computer system. The examiner disagrees. Savitzky does teach that an applet executes a function to a server application in a server computer. However, Grate teaches executing a function by a server application in the same computer that requested the execution. Therefore, the combination adequately teaches executing a function requested by an applet in the same computer that requested the execution.

Applicant argues that Savitzky does not teach a request for a document and determining that the request specifies a function which is unrelated to retrieval of any document specified. The examiner disagrees. Savitzky teaches the client sends a server a document request for a document in the form of a URL and the server identifies the request as a request to execute a script rather than a request for a document (col. 2, lines 1-10). Therefore, Savitzky adequately teaches a request for a document and the determining step as claimed.

Applicant argues that the teaching in Savitzky which describes the server generates a document in accordance with the program and returns that document to the browser is expressly contrary to the execution of a function which performs a task unrelated to the retrieval of the document as taught. The examiner disagrees. First, the examiner has interpreted the task unrelated to retrieval of a document as the dynamic generation of the document by a CGI script. Savitzky teaches the generation and

sending of dynamic documents wherein the server identifies the request as a request to execute a script rather than a request for a document and the server executes the CGI script wherein the results of the execution are sent as the document (col. 1, line 64 – col. 2, line 18). Therefore, Savitzky adequately teaches the limitations as claimed.

As to claim 2, Applicant argues that neither reference teach a name space reserved for function calls. The examiner disagrees. Savitzky teaches the client sending a document request in the form of a URL where the URL refers not to a document on the server but to a program on the server (via a script). A URL is a portion of namespace in a browser for identifying resources or documents and since the URL in Savitzky is used to identify a function as well as a document, the URL is a namespace in the browser for function requests. Therefore, the limitations of claim 2 are met by the rejection.

As to claim 3 & 4, Applicant argues that none of the references teach forming a document and returning the results. The examiner disagrees. Savitzky teaches forming a document which includes the data and sending the document to the applet (col. 2, lines 11-13).

As to the remaining arguments of claims 6-15, refer to the responses above.

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***How to Contact the Examiner:***

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Lewis A. Bullock, Jr. whose voice telephone number is (703) 305-0439. A voice mail service is also available at this number.

- All responses sent by U.S. Mail should be mailed to:  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231
- Hand-delivered responses should be brought to Crystal Park Two, 2021 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist). All hand-delivered responses will be handled and entered by the docketing personnel. Please do not hand deliver responses directly to the Examiner.

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**IMPORTANT CHANGE IN PTO FAX POLICY:**

- AFTER-FINAL faxes must be signed and sent to: (703) 746-7238.
- OFFICIAL faxes must be signed and sent to: (703) 746-7239.
- NON OFFICIAL faxes should not be signed, please send to: (703) 746-7240.

All OFFICIAL faxes will be handled and entered by the docketing personnel. The date of entry will correspond to the actual FAX reception date unless that date is a Saturday, Sunday, or a Federal Holiday within the District of Columbia, in which case the official date of receipt will be the next business day. The application file will be promptly forwarded to the Examiner unless the application file must be sent to another area of the Office, e.g., Finance Division for fee

charging, etc.

To avoid ongoing Washington D.C. area mail processing delays, the Examiner requests that Applicant direct all communications to the PTO by fax. All incoming faxes are securely stored on PTO computers that are dedicated to fax reception. If you send a fax, please do not send duplicate papers via U.S. mail.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Lewis A. Bullock, Jr.  
Patent Examiner, Art Unit 2151  
Normal Flex work schedule: Monday-Friday

ST. JOHN COURTERAY III  
PRIMARY EXAMINER

